

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the final Office Action dated 15 December 2006. Responsive to the rejections made in the Official Action, Claims 1, 9, 10, 14 and 16 have been amended to clarify the language thereof and/or provide proper antecedent basis for the limitations therein. Claim 12 has been cancelled by this Amendment and the subject matter thereof has been incorporated in Claim 1.

In the Official Action, the Examiner rejected Claims 1-3 and 14 under 35 U.S.C. § 103(a), as being unpatentable over Haban, U.S. Patent 6,779,125, in view of McNicol, U.S. Patent Application Publication 2003/0078075. Claims 4-7 and 16-18 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Haban in view of McNicol, and further in view of Tian, U.S. Patent 6,624,710. Claims 11 and 12 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Haban in view of McNicol, and further in view of Yamazaki, et al., U.S. Patent 5,398,007. Still further, Claims 8-10 and 13 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Haban in view of McNicol and Tian, and further in view of Yamazaki, et al. Additionally, Claims 19-22 were given a '103 rejection as being unpatentable over Haban in view of McNicol, and further in view of Yamazaki, et al.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure and method of the invention of the

subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to a single crystal oscillator RF transmitter system. The system includes a microprocessor and a converter coupled to the microprocessor for converting digital data output from the microprocessor into digital packet data to be transmitted by the system. The system includes a local oscillator responsive to an external crystal for generating a first clock signal having a frequency in a radio frequency band. A clock switch is provided that is coupled to the local oscillator for providing a second clock signal at a lower frequency than the first clock signal to the microprocessor and a third clock signal to the converter. The third clock signal is different in frequency from the first clock signal and the second clock signal. The RF transmitter system includes a transmitter connected to an output of the converter for receiving the digital packet data and is coupled to the local oscillator for use of the first clock signal as an RF carrier for the digital packet data to be transmitted by the transmitter. Further, the microprocessor, converter, local oscillator, clock switch and transmitter are integrated on a single chip. The clarification of the converter converting digital data output from the microprocessor into digital packet data has also been incorporated in the method claims.

It is respectfully submitted that the Haban reference is directed to clock generator circuit having a crystal oscillator and a plurality of frequency multipliers for generating additional clock signals at different frequencies. The Examiner

admits that the reference fails to disclose a converter coupled to the microprocessor for converting data output from the microprocessor to be transmitted into packets; and a transmitter connected to an output of the converter for receiving the packets and coupled to the local oscillator for use of the first clock signal as an RF carrier for the packets to be transmitted by the transmitter. Therefore, it is clear that the reference fails to disclose or suggest a converter coupled to the microprocessor for converting digital data output from the microprocessor into digital packet data to be transmitted by the system, as now claimed. Further, the reference neither discloses nor suggests a transmitter connected to an output of the converter for receiving the digital packet data and being coupled to the local oscillator for use of the first clock signal as an RF carrier for the digital packet data to be transmitted by the transmitter, as now claimed.

Contrary to the Examiner's assertion, the McNicol reference is directed to an omni transmit and sectored receive cellular telecommunications network and method of operating the same. As shown in Fig. 8, the digital bitstream 35 is coupled to a transmitter 52 which includes a digital to analog converter 53 *"for converting the digital bitstream received from the core switch 42 via serial bus 35 into intermediate frequency (IF) **analog signals**"* (emphasis added), paragraph 38. The reference goes on to state that the *"D/A converter is clocked by a signal from the clock circuit 56. These analog IF signals are up converted to the carrier radio*

frequency in transmitter unit 52 using a radio frequency local oscillator 58 ...", paragraph 38. Thus, the digital bitstream is converted to analog signals for transmission on a radio frequency carrier, and not "packetized".

In the invention of the subject Patent Application the digital bitstream is formatted into digital packet data, which is transmitted in digital form. While it is believed that data from a microprocessor would inherently be "digital data" and data that is placed in packets is inherently "digital packet data", the Examiner has obviously not interpreted the Claim language as one skilled in the art would interpret that language. Therefore, the Claims have been amended to explicitly define the data from the microprocessor as being digital data and the converter as providing an output of digital packet data, so that there can be no misunderstanding.

Nowhere does McNicol disclose or suggest a converter coupled to the microprocessor for converting digital data output from the microprocessor into digital packet data to be transmitted by the system, as now claimed. Nor does the reference disclose or suggest a transmitter connected to an output of the converter for receiving the digital packet data and being coupled to the local oscillator for use of the first clock signal as an RF carrier for the digital packet data to be transmitted by the transmitter, as now claimed. In fact, the reference teaches away from the claimed invention in that the reference discloses the conversion of digital data to analog signals for analog transmission by the

transmitter, rather than formatting the digital data into digital packet data for digital transmission by the transmitter.

Neither Haban nor McNicol disclose or suggest the incorporation of a converter between the microprocessor and transmitter for converting the digital data into digital packet data, the digital packet data being transmitted by the transmitter, and in fact McNicol teaches away from that concatenation of elements, they cannot, in combination, make obvious that invention of the subject Patent Application, as now defined in both the apparatus and method Claims.

For all of the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

If there are any further charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE

/David I. Klein/
David I. Klein
Registration #33,253

Dated: 11 April 2007

Suite 101
3458 Ellicott Center Drive
Ellicott City, MD 21043
(410) 465-6678
Customer No. 04586

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this paper is being transmitted electronically to the U.S.
Patent and Trademark Office, Art Unit # 2618, on the date shown below.

For: ROSENBERG, KLEIN & LEE

/David I. Klein/
DAVID I. KLEIN

4/11/2007
Date